

*****CONFIDENTIAL DEPOSITION*****

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Leighton Technologies, LLC,)

Plaintiff-Counterclaim)

Defendant,)Case No.

-vs-)04Civ

Oberthur Card Systems, S.A.,)2496(CM)

Defendant-Counterclaim)

Plaintiff.)

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Deposition of KEITH R. LEIGHTON, a
witness herein, called by the Defendant-
Counterclaim Plaintiff, as if upon
cross-examination under the statute, and
taken before Luanne Stone, a Notary Public
within and for the State of Ohio, pursuant
to the issuance of notice and subpoena, and
pursuant to the further stipulations of
counsel herein contained, on Sunday, the 9th
day of October, 2005 at 9:00 o'clock A.M.,
at the Renaissance Hotel, the City of
Cleveland, the County of Cuyahoga and the
State of Ohio.

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Tackla
& Associates

Court Reporting & Videotaping

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APPEARANCES:

On behalf of the Plaintiff-

Counterclaim Defendant:

Sutherland, Asbill & Brennan, LLP,

by:

Robert A. Gutkin, Esq.

On behalf of the Defendant-

Counterclaim Plaintiff:

Baker & McKenzie, by:

James David Jacobs

Frank M. Gasparo, Esq.

ALSO PRESENT:

Jean-Claude Huot

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1 Q Could you tell us what you understand
2 the term, plastic laminated card, means?

3 A Yes, I can.

4 Q Would you do that?

5 A A plastic laminated card would consist
6 of one or more plastic core sheets with --
7 with or without printing on the core,
8 with -- followed by overlamine sheets
9 making a sandwich, to define it, in a book
10 of laminating plates, and applied with heat
11 and pressure cycles.

12 Q All right. When is the first time you
13 used the lamination cycle as we previously
14 defined it to make a plastic laminated card
15 as you just defined it?

16 A I would say back in 1970.

17 Q So, the --

18 A An ordinary plastic card.

19 Q Right. So, the lamination cycle which
20 you show in claim 20, subpart single i, ii
21 and iii, is as old as 1970; is that correct?

22 A No.

23 MR. GUTKIN: Vague and ambiguous.

24 Calls for a legal conclusion.

25 BY MR. JACOBS: